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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,252	03/19/2001	Gary B. Gordon	10010189-1	7805

22878 7590 05/28/2003

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EXAMINER

ABDULSELAM, ABBAS I

ART UNIT PAPER NUMBER

2674

DATE MAILED: 05/28/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/812,252

Applicant(s)

GORDON ET AL.

Examiner

Abbas I Abdulsalam

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Ferrari et al. (USPN 6392636).

Regarding claims 1 and 19, Ferrari teaches a plurality N of capacitance sensing elements that are arranged to cooperate with a fingertip to produce an output signal that controls the movement of a cursor/pointer across a display screen (col. 5, lines 50-54). Ferrari teaches a thin dielectric layer (25) covering capacitive plates (23, 24) and the upper horizontal surface (125) of layer (25) providing an active array surface for physical contact by skin surface (18) of a finger (col. 7, lines 45-51. and Fig. 2). Furthermore, Ferrari teaches a processing unit (160) with respect

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to all cell outputs (17) including an electric picture signal that appears as a bright blob (170) positioned on the dark background. see col. 9, lines 14-19. See col. 8, lines 38-42, col. 9, lines 14-18 and Fig 4. Moreover, Ferrari teaches digitizing a fingerprint pattern and discloses that a user achieves a desired cursor pointer movement by sidewise rolling movement of fingertip (18) represented by arrow (304) and /or by lengthwise end to end pitching of fingertip (18) represented by arrows (305). See col. 7, lines 8-11 and col. 10, lines 51-54.

Regarding claims 2-4 and 20, Ferrari teaches multiple N of capacitance sensing cells. See col. 5, lines 50-54.

Regarding claims 5, 9, 11, 21, 25 and 27, Ferrari teaches the use of integrated capacitive tactile imaging sensor which comprises a multi-layer construction including a thin conductive rubber layer and a top protective layer. See col. 2, lines 5-16.

Regarding claims 6-7 and 22 -23, Ferrari teaches the use a thin dielectric layer (25) covering capacitive plates (23, 24). See Fig 2.

Regarding claims 8 and 24, Ferrari teaches the use of a thin (0.1 micrometer) silicon nitride insulator overlaying the capacitor plate. See col. 2, lines 41-50.

Regarding claims 10 and 26, Ferrari teaches fingerprint-scanning arrays using polysilicon TFT's of polymer and glass substrates. See col. 2, lines 19-31.

Regarding claims 12-13, Ferrari teaches the use of reference voltage, V_r at ground potential (100) along with horizontal surface (125) and a dielectric layer (25). See col. 7, lines 19-29.

Regarding claim 14, Ferrari teaches scanning stages (5, 6) comprising shift registers, or decoders that operate to integrate outputs (17) of cells (2) in time sequence.

Regarding claims 15-16 and 28-29, Ferrari teaches the arrangement of 25 sensor cells in a row/column array. See Fig 8.

Regarding claims 17-18, and 30-31, Ferrari teaches cursor/pointer movement as the fingertip is pitched end to end on the upper surface of the array. In addition, Ferrari discloses a capacitive-type fingerprint sensor having a sensor pad with an array of row/column sensing elements with a specific pitch value. See col. 3, lines 37-47 and col. 5, lines 1-10.

Conclusion

2. The prior art made of record and not relied upon is considered to applicant's disclosure. The following arts are cited for further reference.

U.S. Pat No. 5,424,756 to Ho et al.

U.S. Pat No. 5,579,032 to Busch

U.S. pat. No. 6,029,214 to Dorfman et al.

U.S. Pat. No. 6,256,022 to Manaresi et al.

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3. Any inquiry concerning this communication or earlier communication from the examiner should be directed to **Abbas Abdulsalam** whose telephone number is **(703) 305-8591**. The examiner can normally be reached on Monday through Friday (9:00-5:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Richard Hjerpe**, can be reached at **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314

Hand delivered responses should be brought to Crystal Park II, Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology center 2600 customer Service office whose telephone number is (703) 306-0377.

Abbas Abdulsalam

Examiner

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**RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600**